

CHAPTER 7
IMMUNIZATION OF PERSONS ATTENDING ELEMENTARY OR
SECONDARY SCHOOLS OR LICENSED CHILD-CARE CENTERS

[Prior to 7/29/87, Health Department[470]]

641—7.1(139) Definitions.

“Admitting official” means the superintendent of schools or the superintendent’s designated representative if a public school; if a nonpublic school or licensed child-care center, the governing official of the school or child-care center.

“Applicant” means any person seeking enrollment in a licensed child-care center or elementary or secondary school.

“Doctor” means a medical doctor or doctor of osteopathy licensed by a state board of medical examiners.

“Elementary school” means kindergarten if provided, and grades one through eight or grades one through six when grades seven and eight are included in a secondary school.

“Licensed child-care center” means a facility licensed by the Iowa department of human services to provide child day care for seven or more children or a prekindergarten or preschool learning center operated by local school districts, area educational agencies, or colleges or universities.

“Provisional enrollment” means enrollment for a period of time not to exceed the limit specified in subrule 7.6(2) to allow the applicant to meet the requirements of these rules. A provisionally enrolled applicant is entitled to access to all the benefits, activities, and opportunities of the school or child-care center. Provisional enrollment shall not deny the school funding for the applicant.

“Secondary school” means (a) a junior high school comprising grades 7, 8 and 9, and a senior high school; (b) a combined junior-senior high school comprising grades 7 through 12; (c) a junior high school comprising grades 7 and 8 and a high school comprising grades 9 through 12; (d) a high school comprising grades 9 through 12.

This rule is intended to implement Iowa Code section 139.9.

641—7.2(139) Persons included. The immunization requirements specified elsewhere in these rules apply to all persons enrolled or attempting to enroll in a licensed child-care center or a public or non-public elementary or secondary school in Iowa.

This rule is intended to implement Iowa Code sections 139.9(5) and 139.9(6).

641—7.3(139) Persons excluded. Exclusions to these rules are permitted on an individual basis for medical and religious reasons. Applicants approved for medical or religious exemptions shall submit to the admitting official a valid Iowa department of public health certificate of immunization exemption.

7.3(1) A medical exemption may be granted to an applicant when, in the doctor’s opinion, the required immunizations would be injurious to the health and well-being of the applicant or any member of the applicant’s family or household. A medical exemption may apply to all the required immunizations. A waiver to a specific vaccine due to an age restriction or medical contraindication shall be indicated on the certificate of immunization. A certificate of immunization exemption for medical reasons is valid only when signed by a doctor. If, in the opinion of the doctor issuing the medical exemption, the exemption should be terminated or reviewed at a future date, an expiration date shall be recorded on the certificate of immunization exemption.

7.3(2) A religious exemption may be granted to an applicant who is an adherent or member of a recognized religious denomination and in which the tenets and practices of the religious denomination conflict with immunizations. A certificate of immunization exemption for religious reasons shall indicate the religion of the applicant and be signed by the applicant, or if a minor, by the parent or guardian or legally authorized representative. The certificate of immunization exemption for religious reasons

is valid only when notarized. Religious exemptions shall become null and void during times of emergency as determined by the state board of health and declared by the director of public health.

This rule is intended to implement Iowa Code section 139.9.

641—7.4(139,75GA,HF2145) Required immunizations.

7.4(1) *0-2 months of age:* Immunization not required.

7.4(2) *2-18 months of age:* Applicants enrolled or attempting to enroll in a licensed child-care center shall have received:

- a. At least one dose of combined diphtheria, tetanus, and pertussis vaccine. Pediatric diphtheria and tetanus vaccine may be substituted when pertussis vaccine is contraindicated for the child;
- b. At least one dose of trivalent polio vaccine; and
- c. At least one dose of haemophilus influenzae type B vaccine.

7.4(3) Rescinded IAB 6/5/96, effective 7/10/96.

7.4(4) Rescinded IAB 6/5/96, effective 7/10/96.

7.4(5) *18 months of age and older:* Applicants enrolled or attempting to enroll in a licensed child-care center shall have received:

- a. At least three doses of combined diphtheria, tetanus, and pertussis vaccine. Adult tetanus and diphtheria vaccine or pediatric diphtheria and tetanus vaccine may be substituted for combined diphtheria, tetanus and pertussis vaccine when pertussis vaccine is contraindicated for the child; and
- b. At least three doses of trivalent polio vaccine; and
- c. At least three doses of haemophilus influenzae type B vaccine; or one dose of haemophilus influenzae type B vaccine after 15 months of age; and
- d. At least one dose of rubeola (measles) and rubella containing vaccine received after the applicant was at least 12 months of age.

7.4(6) *4 years of age and older:* Applicants enrolled or attempting to enroll in a public or nonpublic elementary or secondary school shall have received:

- a. At least three doses of combined diphtheria, tetanus, and pertussis vaccine. At least one dose of combined vaccine shall have been received after the applicant's fourth birthday. Applicants seven years of age and older are exempt from receiving further doses of pertussis vaccine. Adult tetanus and diphtheria or pediatric diphtheria and tetanus vaccine should be substituted for combined diphtheria, tetanus and pertussis vaccine for children seven years of age and older or when pertussis vaccine is contraindicated for the child; and
- b. At least three doses of trivalent polio vaccine. At least one dose of trivalent polio vaccine shall have been received after the applicant's fourth birthday. Applicants 18 years of age and older are exempt from the polio requirement; and
- c. At least one dose of rubeola (measles) and rubella containing vaccine or demonstrate a positive antibody test if enrolled prior to July 3, 1991. This dose shall have been received on or after 12 months of age. Applicants enrolled or attempting to enroll for the first time on or after July 3, 1991, shall have received at least two doses of rubeola (measles) and rubella containing vaccine if four years of age or older or demonstrate a positive antibody test. The first dose shall have been received on or after 12 months of age. The second dose shall have been received no less than 30 days after the first dose.

This rule is intended to implement Iowa Code section 139.9.

641—7.5(139) Proof of immunization.

7.5(1) Applicants, or their parents or guardians, shall submit a valid Iowa department of public health certificate of immunization to the admitting official of the school or licensed child-care center in which the applicant wishes to enroll. To be valid, the certificate shall be signed by a doctor, or a physician's assistant, or a registered nurse in an attending doctor's office, or a nurse practitioner, or a county public health nurse, or a school nurse, or an official of a local health department. The judgment of the adequacy of the applicant's immunization history should be based on records kept by the person sign-

ing the certificate of immunization or personal knowledge of the applicant's immunization history, or comparable immunization records from another person or agency, or an international certificate of vaccination, or the applicant's personal health records. If personal health records are used to make the judgment, the records shall provide the types of immunizations received, and the dates, and the sources of the immunizations. Persons validating the certificates of immunization are not held responsible for the accuracy of the information used to validate the certificates of immunization if the information is from sources other than their own records or personal knowledge.

7.5(2) Persons wishing to enroll who do not have a valid Iowa department of public health certificate of immunization available to submit to the admitting official shall be referred to a doctor, or a physician's assistant, or a registered nurse in an attending doctor's office, or a nurse practitioner, or a county public health nurse, or a school nurse, or an official of a local health department to obtain a valid certificate.

This rule is intended to implement Iowa Code sections 139.9(5) and 139.9(6).

641—7.6(139) Provisional enrollment.

7.6(1) Applicants who have begun but not completed the required immunizations may be granted provisional enrollment. To qualify for provisional enrollment, applicants shall have received at least one dose of each of the required vaccines or be a transfer student from another school system. Applicants shall submit a valid Iowa department of public health provisional certificate of immunization to the admitting official of the school or licensed child-care center in which the applicant wishes to be provisionally enrolled. To be valid, the certificate shall be signed by a doctor, or a physician's assistant, or a registered nurse in an attending doctor's office, or a nurse practitioner, or a county public health nurse, or a school nurse, or an official of a local health department. Persons validating the provisional certificates of immunization are not held responsible for the accuracy of the information used to validate the provisional certificate of immunization if the information is from sources other than their own records or personal knowledge.

a. Any person wishing to be provisionally enrolled who does not have a valid Iowa department of public health provisional certificate of immunization to submit to the admitting official shall be referred to a doctor, or a physician's assistant, or a registered nurse in an attending doctor's office, or a nurse practitioner, or a county public health nurse, or a school nurse, or an official of a local health department to obtain a valid certificate.

b. Reserved.

7.6(2) The amount of time allowed for provisional enrollment shall not exceed 120 calendar days or the remainder of the semester in which the applicant is currently provisionally enrolled, whichever is greater. The period of provisional enrollment shall begin on the date the certificate is signed. The person signing the certificate shall assign an expiration date to the certificate and shall indicate the remaining immunizations, if any, required to qualify for a certificate of immunization.

7.6(3) The applicant or parent or guardian shall ensure that the applicant receive the necessary immunizations during the provisional enrollment period and shall submit a certificate of immunization to the admitting official by the end of the provisional enrollment period.

7.6(4) If the applicant has not submitted a certificate of immunization by 30 calendar days prior to the expiration of the provisional enrollment, the admitting official shall notify the applicant, or if a minor, the minor's parents or guardian in writing of the impending expiration of provisional enrollment and invite the applicant and parents or guardian for a conference to discuss the rules regarding provisional enrollment.

7.6(5) If at the end of the provisional enrollment period the applicant or parent or guardian has not submitted a certificate of immunization, the admitting official shall immediately exclude the applicant from the total school program until the applicant or parent or guardian submits a validated certificate of immunization.

7.6(6) If at the end of the provisional enrollment period the applicant has not completed the required immunizations, the provisional enrollment may be extended if the applicant or parent or guard-

ian submits another Iowa department of public health provisional certificate of immunization accompanied by a statement from a doctor that the necessary immunization(s) could not be given due to the applicant's medical status during the provisional enrollment period.

This rule is intended to implement Iowa Code sections 139.9(5) and 139.9(6).

641—7.7(139) Records and reporting.

7.7(1) It shall be the duty of the admitting official of a licensed child-care center or elementary or secondary school to ensure that the admitting official has a valid Iowa department of public health certificate of immunization, certificate of immunization exemption, or provisional certificate of immunization on file for each child enrolled. The admitting official shall ensure that the certificate be properly completed and include dates of immunization, sources of immunization, and validation by the appropriate party.

a. The admitting official shall keep the certificates on file in the school or licensed child-care center in which the applicant is enrolled and assist the applicant or parent or guardian in the transfer of the certificate to another school upon the transfer of the applicant to another school.

b. Unless otherwise requested by the applicant, or parent or guardian, the admitting official shall retain the Iowa department of public health certificate of immunization, or certificate of immunization exemption, or provisional certificate of immunization for three years commencing upon the transfer or graduation of the applicant or the school may choose to provide the permanent immunization record to the student at time of graduation. Included with the immunization record a letter should state that this is an important document that will be needed by the student for college or employment and should be permanently retained.

7.7(2) It shall be the duty of the local boards of health to audit the Iowa department of public health certificates of immunization, certificates of immunization exemption, and provisional certificates of immunization in the schools within their jurisdiction to determine compliance with Iowa Code section 139.9. The local boards of health shall furnish the Iowa department of public health within 30 days of the first official day of school a report of the audit. The report shall be submitted for each school within the local board of health's jurisdiction and shall include the enrollment by grade, and the number of Iowa department of public health certificates of immunization, certificates of immunization exemption, and provisional certificates of immunization by grade.

7.7(3) The local board of health and the Iowa department of public health shall have the right to have access to the Iowa department of public health certificates of immunization, certificates of immunization exemption, and the provisional certificates of immunization of children enrolled in elementary and secondary schools and licensed child-care centers within the constraints of the privacy rights of parents and students.

This rule is intended to implement Iowa Code sections 139.9(5) and 139.9(6).

641—7.8(139) Providing immunization services. It shall be the duty of the local boards of health to provide immunization services where no local provision exists for the services.

This rule is intended to implement Iowa Code sections 139.9(5) and 139.9(6).

641—7.9(139) Compliance. Applicants not presenting proper evidence of immunization, or exemption, are not entitled to enrollment in a licensed child-care center or elementary or secondary school under the provisions of Iowa Code section 139.9. It shall be the duty of the admitting official to deny enrollment to any applicant who does not submit proper evidence of immunization according to rule 7.5(139) and to exclude a provisionally enrolled applicant in accordance with rule 7.6(139).

This rule is intended to implement Iowa Code section 139.9.

641—7.10(139) Effective date. As a prerequisite to admission, an applicant shall present (1) a certificate of immunization, or (2) a provisional certificate of immunization, or (3) a certificate of immuniza-

tion exemption by the beginning of the second semester of the 1977-1978 school year in an elementary or secondary school or by January 4, 1978, in a licensed child-care center.

This rule is intended to implement Iowa Code section 139.9.

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CHAPTER 8

SEXUAL ASSAULT EXAMINATION AND REIMBURSEMENT

[Prior to 7/29/87, Health Department[470] Ch 8]

[Transferred to Department of Justice[61]; see 61—9.82, 9.83]